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PTO/SB/21 (09-06)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/734,076

Filing Date

December 10, 2003

First Named Inventor

Carlos A. SCHULER

Art Unit

3743

Examiner Name

UNASSIGNED

Attorney Docket Number

0130.00

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

PTO/SB/08A & B; 20 Cited  
References; and Return Receipt  
Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

NEKTAR THERAPEUTICS

Signature

Printed name

Guy V. Tucker

Date

09/10/2004

Reg. No.

45,302

### CERTIFICATE OF TRANSMISSION/MAILING

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Anna Tran

Date

11/09/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Carlos A. SCHULER et al. )

Atty. Docket No.: 0130.00

Examiner: UNASSIGNED

Application No.: 10/734,076 )

Group Art Unit: 3743

Filed: 12/10/2003 )

Title: METERED DOSE INHALER WITH LOCKOUT )

CERTIFICATE OF MAILING

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Signed: \_\_\_\_\_

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 CFR §1.56, §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The references listed in the attached Forms PTO/SB/08A and B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

Attorney Docket No. 0130.00

- ☒ within three months of the filing date of a national application or an RCE; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);

Additionally, pursuant to the duty of disclosure set forth in 37 CFR 1.56 and in accordance with the provisions of 37 CFR 1.97 and 1.98, the following commonly assigned, co-pending application is brought to the attention of the Examiner.

U.S. Application No. 09/852,408 in the name of Nektar Therapeutics filed on 05/09/01.

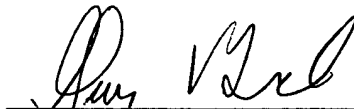
- ☐ Attached is Check No. \_ in the amount of \$0.
- ☐ Please charge the amount of \$\_\_\_ to Deposit Account 500348
- ☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500348.

Respectfully submitted,

NEKTAR THERAPEUTICS

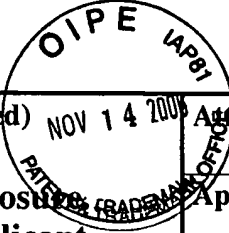
Dated: 09 Nov 2006

By:



Guy V. Tucker  
Reg. No. 45,302

NEKTAR THERAPEUTICS  
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San Carlos, CA 94070  
(650) 631-3100



<b>Form PTO/SB/08A (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Att'y Docket No.:</b> 0130.00	<b>Application No.:</b> 10/734,076
<b>Applicant:</b> Carlos A. SCHULER et al.		
<b>Filing Date:</b> 12/10/2003		<b>Group:</b> 3743

### U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub- Class	Filing Date
	A	4,677,975	07/07/1987	Edgar et al.			
	B	4,934,358	06/19/1990	Nilsson et al.			
	C	4,955,371	09/11/1990	Zamba et al.			
	D	4,984,158	01/08/1991	Hillsman			
	E	5,118,494	06/02/1992	Schultz et al.			
	F	5,215,079	06/01/1993	Fine et al.			
	G	5,284,133	02/08/1994	Burns et al.			
	H	5,392,768	02/28/1995	Johansson et al.			
	I	5,458,135	10/17/1995	Patton et al.			
	J	5,492,688	02/20/1996	Byron et al.			
	K	5,497,764	03/12/1996	Ritson et al.			
	L	5,507,277	04/16/1996	Rubsamen et al.			
	M	5,605,674	02/25/1997	Purewal et al.			
	N	5,655,520	08/12/1997	Howe et al.			
	O	5,683,677	11/04/1997	Purewal et al.			
	P	5,692,492	12/02/1997	Bruna et al.			
	Q	5,694,919	12/09/1997	Rubsamen et al.			
	R	5,724,957	03/10/1998	Rubsamen et al.			
	S	5,735,263	04/07/1998	Rubsamen et al.			
	T	5,740,794	04/21/1998	Smith et al.			
	U	5,775,320	07/07/1998	Patton et al.			
	V	5,785,049	07/28/1998	Smith et al.			
	W	5,833,066	11/10/1998	Hargus et al.			
	X	5,910,301	06/08/1999	Farr et al.			
	Y	5,915,378	06/29/1999	Lloyd et al.			
	Z	5,922,675	07/13/1999	Baker et al.			
	AA	6,029,661	02/29/2000	Whaley et al.			
	BB	6,089,228	07/18/2000	Smith et al.			
	CC	6,142,339	11/07/2000	Blacker et al.			
	DD	6,234,366	05/22/2001	Fuchs			

**Examiner:**

**Date Considered:**

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form PTO/SB/08A (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Atty Docket No.:</b> 0130.00	<b>Application No.:</b> 10/734,076
	<b>Applicant:</b> Carlos A. SCHULER et al.	
	<b>Filing Date:</b> 12/10/2003	<b>Group:</b> 3743

**U.S. Patent Documents**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub- Class	Filing Date
	EE	6,257,233	07/10/2001	Burr et al.			
	FF	6,260,549	07/17/2001	Sosiak			
	GG	6,273,084	08/14/2001	Frid			
	HH	6,309,623	10/30/2001	Weers et al.			
	II	6,606,992	08/19/2003	Schuler et al.			

<b>Examiner:</b>	<b>Date Considered:</b>
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



<b>Form PTO/SB/08B (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Atty Docket No.:</b> 0130.00	<b>Application No.:</b> 10/734,076
	<b>Applicant:</b> Carlos A. SCHULER et al.	
	<b>Filing Date:</b> 12/10/2003	<b>Group:</b> 3743

**Other Documents**

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	BBB	S.P. NEWMAN, "Deposition and Effects of Inhalation Aerosols", (1983), London, GB; pp. 23-30.

<b>Examiner:</b>	<b>Date Considered:</b>
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.